

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

28

July 8, 2003

FROM: JAMES FELTEN, Public Health Programs Administrator
Department of Public Health

SUBJECT: HIV/AIDS SUPPORT AND CARE SERVICES UNDER TITLE I OF THE RYAN
WHITE CARE ACT CONTRACTS

RECOMMENDATION: Approve contracts between the County of San Bernardino (Department of Public Health) and the following agencies for HIV/AIDS support and care services, for a total amount not to exceed \$5,434,029, for the period of July 1, 2003 through Feb 28, 2005.

<u>Agency</u>	<u>Contracted Services</u>	<u>Contract Amount</u>	<u>Contract Number</u>
AIDS Health Care Foundation	Ambulatory Outpatient Care	\$316,667	
Bienestar Human Services	Outreach MAI and Peer Counseling MAI	\$93,471	
Desert AIDS Project	Ambulatory Outpatient Care, Food, Home Health Care and Outreach MAI	\$2,704,677	
Foothill AIDS Project	Food, Housing and Housing MAI	\$208,170	
Inland AIDS Project	Food, Health Education MAI, Home Health Care, Outreach MAI and Peer Counseling MAI	\$1,351,115	
Loma Linda University	Ambulatory Outpatient Care	\$134,929	
Riverside County Department of Public Health	Ambulatory Outpatient Care	\$625,000	
Total Amount Awarded:		\$5,434,029	

BACKGROUND INFORMATION: Approval of this item will ensure that mandated services to persons living with HIV/AIDS in San Bernardino and Riverside counties continue without interruption. Services provided by approval of this item are: Ambulatory Outpatient Care, Food, Home Health Care, Housing Assistance, Health Education, Outreach and Peer Counseling. Services in the above table designated Minority AIDS Initiative (MAI) are, due to funding requirements, targeted at minority populations. Also on today's agenda is an item recommending extending existing contracts for HIV/AIDS services funded by the Ryan White Care Act. It differs from this item in that it contracts for 19 services not included in the RFP process for the above agreements. Dividing these procurements in such a fashion allows the Department to better manage the contracting process and oversee delivery of specific services.

The Ryan White CARE Act was enacted in 1990 to provide Federal funding for comprehensive health and social services for persons who are HIV positive. The Federal Health Resources and Services Administration (HRSA) provides funding through Title I of the Ryan White CARE Act to areas disproportionately affected by the AIDS epidemic. The combined counties of San Bernardino and Riverside qualified for funding under Title I in 1994. The San Bernardino County Department of Public Health (Department) administers the Federal grant funds for the two-county Eligible Metropolitan Area (EMA), including the submission of an annual grant application for continuation of Title I funding, procurement of services, administration of grant funds, and assurance of compliance with Federal grant

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requirements. The total Title I grant, after subtracting administrative costs, is divided 61% to Riverside County and 39% to San Bernardino County. This allocation is based on the relative proportions of AIDS cases in the two counties. The Inland Empire HIV Planning Council (IEHPC) determines priorities for service provision in each county based on an assessment of service needs and availability of funding, and allocates available Title I funding locally to each county each year.

The IEHPC determines priorities for services and allocations of funds to service categories in the EMA each program year (PY), which for the Ryan White CARE Act is March through February. The IEHPC is comprised of 32 members: 30 residents of the Riverside/San Bernardino EMA and 2 State representatives, one from the office of AIDS in Sacramento and the other representing the Medicaid Program. Members of the IEHPC are recruited based on the requirements of the Ryan White Care Act and trained by the Membership Committee of the IEHPC. All members are appointed by the San Bernardino County Board of Supervisors.

On October 29, 2002, the Board of Supervisors approved a Request for Proposals (RFP) to solicit agencies to provide these services. San Bernardino County's Human Services System (HSS) initiated a competitive proposal process to procure eight of the 27 Title I mandated services. Under County policy, the procurement was not necessary since only two years had elapsed since the last competitive procurement. The purpose of the early procurement was to break the mandated services into two, more manageable, procurements.

On November 15, 2002, the Department notified potential proposers of its intent to request permission from the Board to cancel the procurement approved by the Board on October 29, 2002 and release a new RFP during the first quarter of 2003. Since that time, the Department met with IEHPC members and received valuable input related to the services required. The information was incorporated into a new procurement document and the revised Request for Proposals was presented to, and accepted by, the IEHPC on January 23, 2003. On February 11, 2003, the Board cancelled the first RFP (RFP HSS 02-17) and approved and authorized release of a revised RFP (RFP HSS 03-01). The revised RFP was provided to all current providers of Title I services and to a list of providers who are not currently under contract with San Bernardino County. Additionally, the RFP was posted on the County's Internet site, advertised in major daily newspapers in San Bernardino and Riverside counties, as well as several smaller publications targeting minority groups.

Ten proposals were received by the deadline. The proposals were evaluated based on a competitive scoring process by two Evaluation Teams. Teams included representatives from Los Angeles, Riverside and San Bernardino Counties. The evaluation criteria included Proposers' knowledge of targeted population's needs, ability to meet those needs and cost to provide proposed services.

Seven agencies (listed above) were recommended for a contract to provide services. The two agencies not recommended were not successful in the procurement process for one or more of the following reasons: limited or no collaboration with other similar agencies; submitted proposal failed to meet the needs of the targeted population; limited experience working with targeted population; or another agency serving the same geographic area submitted a superior proposal. Unsuccessful agencies were notified by letter that they may protest the Evaluation Team's recommendations by submitting a formal protest letter to HSS Contracts by May 29, 2003. The Department also submitted a proposal and will be allocated \$866,667 to provide Ambulatory Outpatient Care.

A timely protest was submitted by Foothill AIDS Project. Section XIV, Paragraph D of the RFP identifies the following as grounds for protesting the intended award of a contract: 1) The County failed to follow the selection procedures and adhere to requirements specified in the RFP or any addenda or amendments; 2) there has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.; or 3) violation of State or Federal Law. Per this same section, a Protest Committee, including representatives from the Department of Behavioral Health, Department of Children's Services and the Transitional Assistance Department was convened to review the protest. The Protest Committee found no foundation in the protest and a letter was sent to Foothill AIDS Project, dated June 11, 2003, notifying them of the Protest Committee's findings.

Contractor performance will be measured by reviewing the required monthly reports and semi-annual site visits by County staff to monitor contract compliance, fiscal and program elements.

This item is being submitted to the Board one week after the contract start date. The additional time was necessary to incorporate revised HRSA reporting requirements into the contracts and to obtain Contractors' signatures.

REVIEW BY OTHERS: This item has been reviewed by the Office of County Counsel (Charles Larkin, Deputy County Counsel) on June 19, 2003; HSS Contracts (Lori Ciabattini, Administrative Supervisor) on June 18, 2003; and County Administrative Office (Carol Hughes, Administrative Analyst) on June 20, 2003.

FINANCIAL IMPACT: Approval of this item imposes no local County cost. Administrative costs incurred by the Human Services System, as determined by time studies, will be entirely reimbursed by the Title I program. The table below illustrates the funds allocated for this RFP and the funding levels that the Department of Public Health will include in the FY 2003-04 and FY 2004-05 budgets. Should actual awards from HRSA differ from the budgeted amounts, the Department will return to the Board to increase or decrease appropriations accordingly.

<u>Fiscal Year</u>	<u>Title I</u>
2003 – 2004	\$2,520,279
2004 – 2005	<u>\$3,780,417</u>
Total	\$6,300,696

Cost Reduction Review: The County Administrative Office has reviewed this agenda item and recommends this action based on full reimbursement of expenditures by HRSA. The Department will only expend funds for Title I services after receiving written confirmation that all expenditures will be reimbursed. HRSA's last communication with the Department indicated Title I funding is not in jeopardy due to the continued prevalence of AIDS/HIV.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: James Felten, Public Health Programs Administrator (909) 387-9146